ESTTA Tracking number:

ESTTA765537 08/19/2016

Filing date:

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91223065
Party	Plaintiff PN, LLC
Correspondence Address	SCOTT AUSTIN VLP LAW GROUP LLC 101 NE THIRD AVE, STE 1500 FORT LAUDERDALE, FL 33301 UNITED STATES saustin@vlplawgroup.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Scott R. Austin
Filer's e-mail	saustin@vlplawgroup.com
Signature	/Scott R. Austin/
Date	08/19/2016
Attachments	8.19.16 SRA Consent Motion for Extension of Trial and Discovery Periods.pdf(174899 bytes)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 86/256,711		
For the Trademark: PN (stylized design)		
Application Date: April 18, 2014		
Published in the Official Gazette on April 7, 2015		
	)	
PN, LLC,	)	
Opposer,	)	
	)	
v.	)	Opposition No. 91223065
C2 MANAGEMENT GROUP LLC,	)	
	)	
	)	
Applicant.	)	

### MOTION TO EXTEND AND RESET

#### DISCOVERY AND TRIAL PERIODS WITH CONSENT

Opposer/Plaintiff PN, LLC, ("Opposer"), by and through its attorneys, VLP Law Group LLP, with the consent of counsel to Applicant/Defendant C2 MANAGEMENT GROUP LLC ("Applicant" or "C2MG"), having successfully completed their initial discovery conference in accordance with Trademark Rule 2.120(a)(2) and pursuant to stipulation confirmed in email correspondence between Opposer's counsel and Applicant's counsel, consenting to this Motion and agreeing to service between the parties via U.S. Mail with courtesy copy via email (the "Stipulation"), hereby moves the Board and requests that the Close of Discovery, currently set for December 17, 2016, be extended for 60 days, or until February 15, 2017, and that all remaining dates for the current CONFERENCE, DISCOVERY, DISCLOSURE AND TRIAL SCHEDULE set forth in the Board's March 2, 2016 Scheduling Order be reset accordingly, as set forth below. The grounds for this request are that the Parties are considering settlement, but if unable to reach

agreement seek to avoid reduction in the time provided for discovery. The extension and resetting of the discovery and trial periods for these proceedings will allow the parties' time necessary to determine the likelihood of settlement. To extend all respective discovery deadlines under the Board's prior Scheduling Order by 60 days will reset the schedule for the Discovery and Trial Periods in accordance with 37 C.F.R. § 2.121(c), as follows:

0.10.2016

Initial Disclosures Due	9-18-2016
Expert Disclosures Due	1-16-2017
Discovery Closes	2-15-2017
Plaintiff's Pretrial Disclosures	4-1-2017
Plaintiff's 30-day Trial Period Ends	5-16-2017
Defendant's Pretrial Disclosures	5-31-2017
Defendant's 30-day Trial Period Ends	7-15-2017
Plaintiff's Rebuttal Disclosures	7-30-2017
Plaintiff's 15-day Rebuttal Period Ends	8-29-2017

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Applicant, through its counsel, has consented to the 60 day extension and resulting resetting of the Discovery and Trial Periods requested herein via email correspondence with counsel for Opposer, Scott R. Austin, on August 8, 2016.

In light of the foregoing, Opposer respectfully requests that the Board grant Opposer's Consent Motion and extend the Discovery and Trial Periods to all of the respective dates set forth above.

Dated: August 19, 2016 /Scott R. Austin/

Scott R. Austin
VLP Law Group LLP
101 NE Third Avenue, Suite 1500
Fort Lauderdale, FL 33301
Telephone: (216) 870-7954
saustin@vlplawgroup.com

Attorneys for Opposer

### **CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that the MOTION TO EXTEND AND RESET DISCOVERY AND TRIAL PERIODS WITH CONSENT was filed electronically through the Electronic System for the Trademark Trial and Appeal Board (ESTTA) on this 19th day of August, 2016.

/Scott R. Austin/ Scott R. Austin VLP Law Group LLP

# CERTIFICATE OF SERVICE BY MAIL AND ELECTRONIC MAIL PER STIPULATION OF COUNSEL

I hereby certify that on August 19, 2016, a true and correct copy of the MOTION TO EXTEND AND RESET DISCOVERY AND TRIAL PERIODS WITH CONSENT is being served on the below opposing counsel/party of record, by mailing said copy via First Class Mail, postage prepaid and by sending a courtesy copy via Electronic Mail pursuant to stipulation and agreement between the respective counsel of record for the parties to this Opposition at the Discovery Conference held April 19, 2016, as follows:

SCOTT A. CONWELL, Esq.
CONWELL LAW LLC
2368 Northcliff Drive, Ste B
Jarrettsville, MD 21084
Email address: scott@conwellusa.com
Date of Mailing and Electronic Mailing: August 19, 2016

Printed Name: Scott R. Austin

Signature: s:/Scott R. Austin/